

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-04-327 FCD GGH P

vs.

STEVEN MICHAEL KELLY,

Movant.

ORDER

On October 5, 2006, movant's father filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 on movant's behalf. Movant himself did not sign the motion. Despite the bonds that may attach between father and son, movant's father may not represent movant in a § 2255 motion.

Accordingly, IT IS HEREBY ORDERED that the motion to vacate, set aside or correct the sentence filed October 5, 2006, is vacated without prejudice to its refiling by movant himself.

DATED: 11/13/06

/s/ Gregory G. Hollows

kel327.206

GREGORY G. HOLLOWS  
UNITED STATES MAGISTRATE JUDGE